

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY
DOCUMENT
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DATE FILED: 8/17/2020**

In re:

MARIA GUTIERREZ,

Debtor.

Bankruptcy Case No. 17-12775 (SMB)

DAVID BELLON,

Movant.

No. 20-CV-5868 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On July 28, 2020, Mr. Bellon filed a motion to withdraw the bankruptcy reference in Bankruptcy Case No. 17-12775 (SMB) in light of a hearing before the Bankruptcy Court regarding the United States Trustee's motion to disgorge Mr. Bellon's attorney's fees. Dkt. 1. Specifically, Mr. Bellon contends that mandatory withdrawal of a bankruptcy pursuant to 28 U.S.C. § 157(d) applies here because "resolution of the proceeding requires consideration of both title 11 and other laws of the United States regulating organizations or activities affecting interstate commerce." *Id.*

On August 4, 2020, Mr. Bellon filed a letter motion to expedite consideration of his motion. Dkt. 3. On August 5, 2020, the Court ordered Mr. Bellon to serve his motion to withdraw, supporting exhibit, and a copy of its Order on the Debtor and the United States Trustee by August 6, 2020, and directed the Debtor and the United States Trustee to file their responses to the motion, if any, by August 12, 2020. Dkt. 4. Mr. Bellon filed an affidavit of service on August 6, 2020 averring that he served the Court's order by mail, Dkt. 5, but neither

the Debtor nor the United States Trustee filed a response to his motion. In light of the fact that the Bankruptcy Court adjourned the hearing on the disgorgement of Mr. Bellon's attorneys fees from August 18, 2020 to August 25, 2020, *see* 17-12775 (SMB), Dkt. 42, the deadline for the Debtor and the United States Trustee to respond to Mr. Bellon's motion to withdraw the bankruptcy reference is hereby extended to August 20, 2020. In light of the Covid-19 crisis and delays in the mail, Mr. Bellon shall serve this Order on counsel for the Debtor and the United States Trustee by electronic mail and file proof of such service on the docket by 12 P.M. on August 18, 2020.

SO ORDERED.

Dated: August 17, 2020
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written over a horizontal line.

Ronnie Abrams
United States District Judge